

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

WOODS HOLE OCEANOGRAPHIC
INSTITUTION,

Plaintiff,

v.

ATS SPECIALIZED, INC., EAGLE
UNDERWRITING GROUP, INC.,
RIDGEWAY INTERNATIONAL USA, INC.,
GUY TOMBS LIMITED, AUSTRALIAN
NATIONAL MARITIME MUSEUM, SAM
BROUGHTON WRIGHT JUNIOR, SERVICE
TIRE TRUCK CENTER, INC., AND
TRAVELCENTERS OF AMERICA

Defendants.

CIVIL ACTION NO. 1:17-cv-12301-NMG

**DEFENDANT AUSTRALIAN NATIONAL MARITIME MUSEUM'S REQUEST TO
FILE REPLY BRIEF AND OBJECTIONS TO EVIDENCE IN SUPPORT OF MOTION
TO DISMISS FOR LACK OF PERSONAL JURISDICTION AND SUBJECT MATTER
JURISDICTION**

Pursuant to Local Rule 7.1(b)(3) of the Local Rules for the United States District for the District of Massachusetts, defendant AUSTRALIAN NATIONAL MARITIME MUSEUM (the "Museum") hereby requests leave to file a reply brief, not to exceed 10 pages, to the opposition brief filed by WOODS HOLE OCEANOGRAPHIC INSTITUTION ("WHOI") on September 11, 2011 [Dkt. 63] (the "Opposition"), which responded to the Museum's Motion to Dismiss for Lack of Subject Matter Jurisdiction under the Foreign Sovereign Immunities Act of 1976 (the "FSIA") and for Lack of Personal jurisdiction, filed on July 27, 2018 [Dkt. 50-51] (the "Motion"). WHOI does not object to this request.

Good cause is shown by this request in that, first, the Opposition raises complex issues under both the FSIA and the personal jurisdiction analysis. Additionally, a recent order in a case involving most of the same parties, issued by the United States District Court for the District of

Connecticut, Case No. 3:17-cv-00817-CSH, entitled *Anderson Trucking Service Inc v. Eagle Underwriting Group, Inc., et al.*, is raised and relied upon in the Opposition, which order was issued after the Museum filed its motion, so it could not have been discussed. Accordingly, the Museum should be allowed to address that order. In support of the Opposition, Plaintiff also submitted voluminous new evidence which the Museum should also be able to address. Finally, WHOI raises jurisdictional arguments regarding Massachusetts' long arm statute which were not addressed in the Motion. For these reasons, the Museum believes that good cause exists here for this Honorable Court to grant it leave to file a modest reply brief.

Respectfully submitted,

DEFENDANT AUSTRALIAN NATIONAL
MARITIME MUSEUM

By: Its Attorneys

/s/ Chad M. Vacarella

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Dated: September 14, 2018

CERTIFICATE OF SERVICE

I certify that on September 14, 2018, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Chad M. Vacarella

Chad M. Vacarella